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VIA COURIER SEPTEMBER 24, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hastings, et al.

Docket No.: PF226D1

Application No.: 09/170,042

Group Art Unit: 1647

Filed: October 13, 1998

Examiner: R.C. Hayes

For: Human Neuronal Attachment Factor-1

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to the telephone conversation with the Examiner on September 22, 2003, Applicants understand that the Second Amendment and Reply Under 37 C.F.R. § 1.116 submitted via facsimile on August 29, 2003 has apparently been misplaced at the Office, as it has not been entered into the PAIR/PALM system nearly one month after being filed. Applicants also understand that the instant application is apparently unavailable to the Examiner due to EFW scanning, making it impossible for the Examiner to consider the response before the statutory date of October 1, 2003.

Thus, as suggested by the Examiner, Applicants submit herewith: (1) a Fee Transmittal Sheet; (2) a Petition For Extension Of Time Under 37 C.F.R. § 1.136(a); and (3) a Notice of Appeal. Applicants also submit copies of the previously submitted documents herewith, including: (a) Second Amendment And Reply Under 37 C.F.R. § 1.116 [Expedited Procedure – Examining Group 1647]; (b) Petition For Extension Of Time Under 37 C.F.R. § 1.136(a); (b) Certificate Of Transmission Under 37 CFR 1.8; (c) Fee Transmittal For FY 2003; and (d) Fax Transmission (dated August 29, 2003). As evidence that the above previously submitted documents were properly filed via facsimile on August 29, 2003, Applicants also submit herewith: (1) Applicants' Fax Transmission confirmation showing 12 pages successfully sent; (2) U.S.P.T.O. Auto-Reply Facsimile

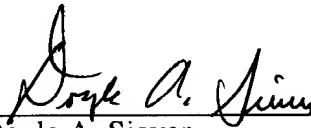
Transmission return receipt dated August 29, 2003, 2:12:22 PM [Eastern Daylight Time]; and (3) Certificate Of Transmission Under 37 CFR 1.8.

Applicants respectfully request that the Notice of Appeal be entered, and that the papers filed on August 29, 2003 also be entered and accorded the correct date in PAIR/PALM. Applicants believe that the amendments made address all of the Examiner's remaining concerns, and that the application is thus in condition for allowance. Please contact the undersigned if any further action by Applicants would expedite the allowance of this application.

Please charge any additional fees to our Deposit Account No. 08-3425. If a fee is required for an additional extension of time under 37 C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account. A Fee Transmittal Sheet is attached.

Respectfully submitted,

Dated: September 24, 2003

  
Doyle A. Siever (Reg. No. 47,088)  
Patent Agent

**Human Genome Sciences, Inc.**  
9410 Key West Avenue  
Rockville, MD 20850  
Telephone: (240) 314-4400 ext. 3595

KKH/MJH/DAS  
Enclosures



# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **840.00**

## Complete if Known

Application Number	09/170,042
Filing Date	October 13, 1998
First Named Inventor	Gregg A. Hastings
Examiner Name	R.C. Hayes
Art Unit	1647
Attorney Docket No.	PF226D1

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

08-3425

Deposit Account Name

Human Genome Sciences, Inc.

The Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
14	-41 =	0	x		=	
2	-4 =	0	x		=	
Multiple Dependent						

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	520.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	320.00
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 840.00

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Doyle A. Siever

Registration No. (Attorney/Agent)

47,088

Telephone

(240) 314-4400, ext.3595

Signature

*Doyle A. Siever*

Date

September 24, 2003